## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE

| UNITED STATES OF AMERICA | )                  |
|--------------------------|--------------------|
| vs.                      | ) No. 2:19-CR-30.2 |
| COLTON OTIS CARDEN       | )                  |

## ORDER

Magistrate Judge C. Clifford Shirley filed a report and recommendation recommending the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Count One of the Indictment; (2) accept Defendant's plea of guilty to Count One of the Indictment, that is, of conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(A); (3) adjudicate Defendant guilty of the charges set forth in Count One of the Indictment; and (4) find Defendant shall remain in custody until sentencing in this matter [R. 93]. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court ACCEPTS and ADOPTS the magistrate judge's report and recommendation [R. 93] pursuant to 28 U.S.C. § 636(b)(1) and ORDERS as follows:

- (1) Defendant's motion to withdraw his not guilty plea to Count One of the Indictment is **GRANTED**;
- (2) Defendant's plea of guilty to Count One of the Indictment, that is, of

conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(A), is **ACCEPTED**;

- (3) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count One of the Indictment;
- (4) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **May 28, 2020, at 11:00 a.m.** before the Honorable Pamela L. Reeves, United States District Judge.

SO ORDERED.

CHIEF UNITED STATES DISTRICT JUDGE